

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

PAUL BENSON,

Plaintiff,

v.

**AMERIHOM MORTGAGE CO., LLC
et al.,**

Defendants.

Case No. 2:24-cv-03467-JDW

ORDER

AND NOW, this 10th day of January, 2025, upon consideration of the various pending Motions to dismiss the Amended Complaint (ECF Nos. 19, 38, 39, 40), and for the reasons stated in the accompanying Memorandum, it is **ORDERED** that the Defendants' Motions To Dismiss are **GRANTED**. and Mr. Benson's Amended Complaint is **DISMISSED WITH PREJUDICE** in part and **WITHOUT PREJUDICE** in part, as follows:

1. Mr. Benson's claims for breach of fiduciary duty and violation of Pennsylvania's Mortgage Licensing Act are **DISMISSED WITH PREJUDICE**; and
2. All other claims are **DISMISSED WITHOUT PREJUDICE**.

It is **FURTHER ORDERED** that if Mr. Benson seeks to file a Second Amended Complaint, he may file a motion for leave to do so on or before February 7, 2025. Any such motion must attach the proposed Second Amended Complaint. If Mr. Benson fails

to file a proposed Second Amended Complaint, then I will assume that he intends to stand on his Amended Complaint, and I will enter an Order closing the case.

BY THE COURT:

/s/ Joshua D. Wolson

JOSHUA D. WOLSON, J.